IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 1267 of 2006

For Approval and Signature:

HONOURABLE MR.JUSTICE AKIL KURESHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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F S RAYAMA - Petitioner(s)
Versus
STATE OF GUJARAT & 2 - Respondent(s)

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Appearance :
MR AS SUPEHIA for Petitioner(s) : 1,
MR SIRAJ GORI, AGP for Respondent(s) : 1,
MR JB PARDIWALA for Respondent(s) : 2,
RULE SERVED BY DS for Respondent(s) : 3,

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CORAM : HONOURABLE MR.JUSTICE AKIL KURESHI

Date : 28/07/2006

ORAL JUDGMENT

1. Learned advocate Shri Pardiwala under instructions states that contrary to what the petitioner believes, the respondents have not

recovered any alleged excess payment made to the petitioner. He submitted that the authorities may re-examine the question of pay fixation of the petitioner.

2. In view of this development, main grievance of the petitioner raised in this petition does not survive. Needless to say that if the respondents wish to pass any order which would be adverse to the petitioner, he will be given an opportunity of being heard before taking any such steps.

3. In view of this discussion, the petition is disposed of. It will be open for the petitioner to make a representation to the respondents for seeking interest on the delayed payment of pension, if any. With the above observations, the petition is disposed of. Rule is discharged with no order as to costs.

(Akil Kureshi,J.)

(vjn)